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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/761,689	01/18/2001	Yutaka Miyamoto	Q62322	4689

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EXAMINER

TRINH, MINH N

ART UNIT PAPER NUMBER

3729

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/761,689	Applicant(s) MIYAMOTO ET AL.	
	Examiner Minh Trinh	Art Unit 3729	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-18 is/are pending in the application.
- 4a) Of the above claim(s) 14-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12 and 13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☒ Certified copies of the priority documents have been received in Application No. 09/140,669.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
     a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                 | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____   |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other: ____                                     |

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1.

**DETAILED ACTION**

1. The amendment filed in paper No. 7 (dated 9/22/2003) has been fully considered and made of record.

***Election/Restrictions***

2. Regarding newly submitted claims 14-18. These claims are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

a) Original claims 12-13 and newly submitted claims 14-18 are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the original claims 12-13 has separate utility such as wherein a first connector receiving jig configured to detachably hold a plurality of proper connectors and a second connector receiving jig configured to detachably hold the plurality of hybrid connectors (see claim 12, lines 5-7).

b) Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 14-18 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

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3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maejima et al (US 5,774,981).

Maejima et al disclose an apparatus for manufacturing a single wire harness (or a wire harness) comprising a wire harness fabricating station 41 for forming a single wire harness from partial harnesses, the wire harness fabricating station having a first connector receiving jig 34 on the layout board 33 (col. 3, lines 50-55) which is detachably holds a plurality connectors. Maejima et al inherently discloses a second connector receiving jigs for positioning and mounting of electrical connectors (see col. 1, lines 17-19). Regarding the second receiving jig for holding a plurality of hybrid connector. It would have been an obvious to one having ordinary skill in the art at the time of the invention was made to use a second receiving jig or an additional receiving jig to hold a plurality of hybrid connector or a conventional equivalent connectors thereto in order to form a desired wire harness. Further, note that the limitation: "using a plurality of proper connectors and a plurality of hybrid connectors" (see claim 12, lines 2-3) is intended use which does not further limit the claimed structure. It appears that the invention would perform equally well with the type of connector as suggested by the prior art reference (see Fig. 6 of Maejima et al).

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5. Claim 12 is also rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art [APA], (see Fig. 13, and the discussion under "The Related Art", specification, pages 1-5) in view of Maejima et al (US 5,774,981).

APA (see Fig. 13, and the discussion under "The Related Art", specification page 1-5) discloses an apparatus for manufacturing a single wire harness comprising a wire harness fabricating station 103 (see Fig. 13, discussion at col. page 1, line 20 to page 2, line 5) for forming a single wire harness from partial harnesses 102 (see Fig. 13) the wire harness fabricating station having a connector receiving table 106 (see the discussion in the specification, page 2, lines 11-17) which detachably holds a plurality of proper connectors (105<sub>3</sub>, 105<sub>4</sub>) and a plurality of hybrid connectors (105<sub>1</sub>, 105<sub>2</sub>). APA does not expressly teach the use of a first connector receiving jig and a second connector receiving jig for positioning the proper connectors and hybrid connector therefrom. Maejima et al teach the use of receiving jig 34 for receiving connector (see Fig. 1, and the discussion at col. 3, lines 51). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to employ the teaching of Maejima's connector receiving jig onto the invention of APA in order to obtain a connector receiving jigs for holding and securing of the connector housing during the fabrication of a wire harness.

Note the limitation: "using a plurality of proper connectors and a plurality of hybrid connectors" (as recited in claim 12, lines 2-3) is intended use which does not further limit the claimed structure.

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6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maejima et al or APA as modified above and further in view of Takada (US 6,269,538).

Maejima et al or APA as modified and relied upon above do not teach the wire harness fabricating station comprises a connector transferring device for transferring to the connector receiving jig, one of the proper connector and hybrid connectors, respectively. Takada teaches a transferring device as described above (as shown in Fig. 2 and discussed at col. 7, lines 27-29 and col. 8, lines 2-3). Therefore, it would have been obvious to one ordinary skill in the art, at the time of the invention was made to employ the teaching of transferring device as taught by Takada onto the invention of APA or Maejima et al in order to obtain a desired transferring device for transferring to the connector receiving jig, the proper connectors and hybrid connectors to the partially harness in an effective manner.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 12-13 have been considered but are moot in view of the new ground(s) of rejection.

i) The amendment to the claims has overcome the rejection under 112 second paragraph.

ii) This application contains nonelected claims 14-18 (see paragraph 1a-b). A complete reply to the final rejection must include cancelation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

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### ***Prior Art References***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art references are cited for their teaching of an apparatus for making a wire harness.

### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

mt



PETER VO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700